

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

KEITH SPEER,

Plaintiff,

v.

Case No. 2:08-CV-13526

HON. PATRICK J. DUGGAN

CITY OF FLINT,

Defendant.

**STIPULATION FOR STAY OF ACTION UNTIL CONCLUSION OF CRIMINAL
ACTION PENDING AGAINST DAVID DICKS**

This is a companion case to case number 2:08-CV-13527, *Karl Petrich v City of Flint*. The issues involved in this case and in *Petrich v City of Flint* are similar to those involved in *Gaspar v Dicks*, case number 2:08-CV-13707. The parties previously stipulated that as a result of these similarities, it was appropriate for the scheduling order in this case and in *Petrich v City of Flint* to run concurrently with the dates in the *Gaspar* case. The *Gaspar* case has recently been adjourned until the conclusion of a criminal proceeding pending against David Dicks, which is currently scheduled for trial on September 15, 2009. Plaintiff and Defendant hereby stipulate that it is also appropriate to stay this civil action until the conclusion of the criminal proceedings against David Dicks and request that the Court enter the attached Order Staying Civil Action.

LEONARD KRUSE, P.C.

s/with consent of Kelly Kruse

KELLY A. KRUSE (P45538)

Attorney for Plaintiff

4190 Telegraph Rd., Ste. 3500

Bloomfield Hills, MI 48302

(248) 594-7500

kkruse@leonardkruse.com

CITY OF FLINT LAW DEPARTMENT

s/John Postulka

JOHN POSTULKA (P71881)

Attorney for Defendant

1101 S. Saginaw Street, 3rd Floor

Flint, MI 48502

jpostulka@cityofflint.com

Dated: April 16, 2009

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

KEITH SPEER,

Plaintiff,

v.

Case No. 2:08-CV-13526

HON. PATRICK J. DUGGAN

CITY OF FLINT,

Defendant.

**ORDER STAYING ACTION UNTIL CONCLUSION OF CRIMINAL ACTION
PENDING AGAINST DAVID DICKS**

Plaintiff and Defendant having stipulated to a stay of this action until the conclusion of the criminal proceeding against David Dicks in the matter of *United States of America v David Dicks*, Case No. 09-20017; and the Court being otherwise advised in the premises;

IT IS HEREBY ORDERED THAT this action is stayed until the conclusion of the criminal proceedings pending against David Dicks in the matter of *United States of America v David Dicks*, Case No. 09-20017, which is presently scheduled for trial on September 15, 2009 before the Honorable Sean F. Cox.

IT IS FURTHER ORDERED THAT counsel for Defendant City of Flint will file a Notice with the Court in the event the criminal proceeding concludes before the presently scheduled trial date or if the presently scheduled trial date is adjourned to a later date.

IT IS FURTHER ORDERED THAT upon notice by counsel for Defendant City of Flint that the criminal proceedings have concluded, counsel for the parties will confer and submit a revised scheduling order to the Court, or in the event agreement cannot be reached, will inform the Court that a scheduling conference is needed.

IT IS SO ORDERED.

s/Patrick J. Duggan

Patrick J. Duggan
United States District Judge

Dated: April 16, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on 4/16/2009, by electronic and/or ordinary mail.

s/Marilyn Orem
Case Manager